205.44), and for the non-Federal share of funds necessary to qualify for Federal assistance under the Juvenile Delinquency Prevention and Control Act of 1968, approved July 31, 1968 (82 Stat. 462; Public Law 90-445; 42 U.S.C. 3801 et seq.).

SEC. 108. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 109. Not to exceed 4*/2 per centum of the total of all funds appropriated by this Act for personnel compensation may be used to pay the cost of overtime or temporary positions.

SEC. 110. Appropriations in this Act shall not be available during the fiscal year ending September 30, 1990, for the compensation of any person appointed to a permanent position in the District of Columbia government during any month in which the number of employees exceeds 39,262.

SEC. 110A. (a) No funds appropriated by this Act may be expended for the compensation of any person appointed to fill any vacant position in any agency under the personnel control of the Mayor unless:

(1) The position is to be filled by a sworn officer of the Metropolitan Police Department; or

(2) The position is to be filled as follows:

(1) By a person who is currently employed by the District of Columbia government at a grade level that is equal to the grade level of the position to be filled; or

(2) By a person who is currently employed by the District of Columbia government at a grade level higher than the grade level of the position to be filled, and who is willing to assume a lower grade level in order to fill the position.

(b) Subsection (a) of this section shall not apply to any position for which the City Administrator certifies that:

(3) The position is necessary to the fulfillment of an identified essential governmental function; and

(4) The position cannot be filled from within the District of Columbia government:

(5) At a grade level that is equal to the grade level of the position to be filled; or

(6) By a person who is currently employed by the District of Columbia government at a grade level higher than the grade level of the position to be filled, and who is willing to assume a lower grade level in order to fill the position.

(c) The City Administrator shall submit the certification required by subsection (b) of this section to the Council on the 1st day of each month.

SEC. HOB. (a) APPLICATION FOR EMPLOYMENT, PROMOTIONS, AND

REDUCTIONS IN FORCE.—

(7) IN GENERAL.—The rules issued pursuant to the amendments to the District of Columbia Government Comprehensive Merit Personnel Act of 1978 made by the Residency Preference Amendment Act of 1988 (D.C. Law 7-203) shall include the provisions described in paragraph (2).

(8) DESCRIPTION OF POLICIES.—

(A) POLICY REGARDING APPLICATION FOR EMPLOYMENT.—The Mayor of the District of Columbia may not give an applicant for District of Columbia government employment in the Career Service who claims a District residency preference more than a 5 point hiring preference over an